

**REMARKS/ARGUMENTS**

Reconsideration of this application is requested. Claims 17-23 will be active in the application upon entry of this Amendment.

In the outstanding Official Action the examiner rejects claims 12 and 13 as being indefinite. These claims have been withdrawn in order to reduce issues.

Claims 1, 3-8 and 12-16 are rejected on the basis of various prior art documents (see items 6-8 of the Action) while claims 9-11 have been indicated to be allowable but dependent upon a rejected independent base claim (see item 9).

The claims in this application have been amended in order to follow the examiner's comment in item 9 of the Official Action. New claims 17-23 are presented above. In more detail, claim 18 corresponds to original claim 9 and, through various dependencies, original claim 1. Claim 19 corresponds to claim 10 as filed and claim 20 corresponds to claim 11 through various dependencies back to claim 1.

Claim 2 has been voluntarily withdrawn for their inclusion of trademarks while original claims 14-16 have been redrawn and re-presented as new claims 21-23.

In addition, new claim 17 is presented based upon a combination of original claims 1, 3 and 4. This claim is directed to a single stranded probe, which hybridizes with itself to form a double stranded region when used in conjunction with an intercalating dye as such probes are not disclosed in the prior art. Applicants submit that claim 17 follows the fundamental concepts of allowable claims 9-11 stated in more general manner and thus claim 17 should be allowable together with claims 18-23.

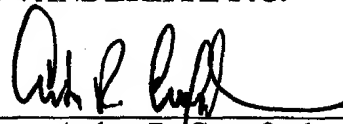
LEE et al.  
Appl. No. 09/786,521  
August 6, 2003

Reconsideration and entry of this Amendment are solicited. If for any reason this Amendment does not place all claims in condition for allowance the examiner is encouraged to contact the undersigned by telephone.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_



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